

## **City Attorney**

### **Department Description**

The City Attorney is elected by the people of Columbus to provide legal services to the City of Columbus and its citizens. The City Attorney:

- Protects the city's interests in court, as well as in all legal matters affecting the growth and maintenance of the city
- Represents the Mayor, City Council, the Municipal Court Clerk and Judges (15), 41 boards and commissions and all other departments and areas of city government
- Prosecutes misdemeanor crimes in Franklin County, including drunk driving, domestic violence and assault
- Files actions in court to eradicate neighborhood eyesores and ensure buildings are safe from fire and meet health code standards
- Enable citizens to resolve issues outside of the court system
- Helps to increase attendance at several Columbus Public middle schools through the Project SMART (Student Mediation and Assistance to Reduce Truancy) program

### **Department Mission**

The Columbus City Attorney's Office, guided by principles of justice and fair play, is a first-class law office providing excellent legal services by efficiently and effectively prosecuting and defending all legal matters involving the city while providing services that make a positive difference in our citizen's lives, schools, and communities.

## Department Goals, Objectives and Performance Measures

**Goal: To build strong, distinct and vibrant neighborhoods by achieving compliance agreements or successful resolution of enforcement matters through the Environment Enforcement Unit and encourage peaceful resolution of disputes through dispute resolution programs.**

Performance Objectives	Performance Measures	Benchmark	2001 Data
Neighborhoods are cleaner and safer	Number of enforcement measures filed by the environmental unit of the City Attorney's Office	NA	453 client requests to file environmental actions 302 permanent injunctions obtained through agreement and court action
Reduce waiting time for citizens filing criminal complaints and convert appropriate complaints to mediation with successful resolutions and satisfied parties	Percent of citizens filing complaints served within one hour; Percent of intake complaints referred to mediation; Satisfaction with process	Reduction of waiting time from sign in to receiving service, reduction in time cases are pending, and reduction in percentage of persons not receiving service before they leave. 15% of intake cases referred to mediation with 70% ending in full agreement. 93% customer satisfaction with the process	90.9% of those wishing to file complaints were served within one hour, only 7.5% of those signing in left without seeing an intake officer. (DESPITE A 19% BUDGETARY REDUCTION IN HOURS OPEN) 8% of intake complaints referred to mediation with agreements reached in 80% of those cases. Satisfaction with process remains at 93%

**Goal: To provide a sufficient number of qualified, well-trained and prepared Prosecutors to represent the City of Columbus and the State of Ohio at every stage of the criminal proceedings, divert appropriate cases from the Municipal Court docket and reduce the number of repeat offenders**

Performance Objectives	Performance Measures	Benchmark	2001 Data
All cases are efficiently and effectively prosecuted	Number of DUI and domestic violence cases filed, prosecuted and closed	6,423 DUI cases prosecuted 6,287 domestic violence cases prosecuted	7,219 DUI cases prosecuted. 5,702 domestic violence cases filed 5,860 cases prosecuted and closed

Reduce the number of license law violations and nonviolent criminal offenses on Municipal Court Dockets	Percentage of cases diverted from the Court docket and percentage of individuals using diversion who do not become repeat offenders	Divert 2-5% of the Municipal Court docket. Few participants in criminal diversion program become repeat offenders and high number of traffic participants who maintain a valid drivers license	Diverted 4.9% of eligible cases from the Municipal Court docket. 94.7% of criminal diversion participants have no further criminal offense and 80.2% of traffic diversion participants maintained a valid license
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**Goal: To foster safety in our community through advocacy services for domestic violence victims, timely and comprehensive legal advice for police, and providing a specialized unit to investigate stalking and harassment crimes that occur through use of technology**

<b>Performance Objectives</b>	<b>Performance Measures</b>	<b>Benchmark</b>	<b>2001 Data</b>
Advocacy services are provided to domestic violence and stalking victims in compliance with victims' rights act and unit standards	Number of victims served	Goal of 100% service	(1 <sup>st</sup> two quarters of 2002) 3,124 contacts with victims 512 protection orders sought 753 victims referred for civil protection orders
City liability is reduced by providing high quality and timely legal advice and training	Percentage of lawsuits filed and increased hours of legal training and advice	In 2000 attorneys in police legal bureau responded to 6,861 requests for legal opinions and provided 323 hours of training on 25 different topics	Attorneys responded to 8,494 police requests for legal opinions and provided training on over 20 topics. Lawsuits against police department down by 26% since 2000
Citizens and law enforcement have a unit with specialized personnel to investigate and assist in prosecuting misdemeanor crimes of harassment, stalking, and theft, which occur through computers, telephones and other telecommunication devices	Number of complaints of harassment filed and Number of cases closed	N/A	Through August of 2002, 110 complaints of harassment filed with 78 closed and 6 slated for trial

**Goal: Legal liability is reduced through high quality legal services, timely legal advice, and training on liability issues. Monies owed to the City are aggressively collected through legal system.**

<b>Performance Objectives</b>	<b>Performance Measures</b>	<b>Benchmark</b>	<b>2001 Data</b>
City liability is reduced	Number of cases dismissed	High quality lawyering results in more dismissals and less money paid for liability	With 84 new cases added to existing caseload, 160 cases were dismissed, 24 prior to trial
Generate revenue and Promote economic growth and development in accordance with the City Charter and other applicable laws and through collection of monies owed to the City	Increase in contract and legislation review Dollars collected	In 2000 reviewed over 2,000 contracts and over 3,005 legislative matters. In 2000, the Asset Recovery Unit collected \$578,000 in previously uncollectable debt as well as \$538,000 in other delinquent payments	In 2001 contract and legislation review increased 24% to over 6,500 matters. Collected over \$800,00 in previously uncollectable debt as well as \$200,000 in delinquent payments and an additional \$543,000 was collected by outside agencies

**Goal: To encourage and promote participation in learning opportunities by reducing student truancy and increasing attendance at 15 Columbus Middle Schools**

<b>Performance Objectives</b>	<b>Performance Measures</b>	<b>Benchmark</b>	<b>2001 Data</b>
Decreased truancy and increased attendance at 15 middle schools	Percent increase in attendance	Project SMART operating in 10 middle schools with mediations held once per week during evening	Project SMART made available at 14 Columbus Middle Schools. Mediations held twice weekly during the day at 8 Middle Schools. Attendance at Project SMART schools increased by 8.98%

## **Strategic Priorities for 2003**

- Strictly enforce the standard that every employee of her office treats every client, member of the public, and co-worker with respect and dignity
- Provide a sufficient number of qualified, well-trained and prepared prosecutors to represent the City of Columbus and the State of Ohio at every stage of criminal proceedings
- Continue providing citizen-centered services to ease the burden on the courts and facilitate peaceful and just resolution of municipal criminal complaints
- Provide advocacy support to domestic violence and stalking victims by placing a well-trained, experienced advocate in each courtroom
- Improve client and customer relations and reduce legal liability by providing needed training to clients
- Maintain peak performance of attorneys and staff through fair access to valuable and needed training and professional development opportunities for all employees
- Communicate in a cohesive and comprehensive manner to ensure unified and informed responses to clients and the media and be an organization with employees who are kept informed regarding accomplishments and issues in the office
- Continue to upgrade physical facilities to ensure that the work environment reflects the high degree of professionalism in the office
- Organize her office to reflect the primary value of its human resources
- Continue to provide employees with the best technology and equipment to maximize job performance
- Organize office cases and research materials to ensure excellent and informed legal representation
- Increase revenue brought into the city by increasing collection of monies owed to the city
- Work to build strong, distinct and vibrant neighborhoods by achieving compliance agreements or successful resolution of enforcement matters

through the Environment Enforcement Unit and utilizing grant dollars to explore implementation of community prosecution for the city

## **2003 Budget Issues**

- The City Attorney has contributed to the success of the administration in addressing the difficult 2003 budget situation by reducing hours of operation, keeping vacant positions open, reducing supply and service expenses, reducing overtime and pursuing outside revenue sources.
- The City Attorney will utilize fees collected from the diversion program participants and merchants participating in the bad check program to pay the grant match amounts and the salary of three full-time positions within the alternative dispute resolution unit. Anticipated revenues are \$251,684.
- The office will maintain three full-time attorney vacancies, saving \$194,410. This will require reallocation of attorneys currently in the civil division to the prosecutor division.
- The office will apply a three percent vacancy credit, delaying the filling of positions to meet a target vacancy savings of \$259,080.
- Savings will be realized by reducing the hours that the intake unit is open. Those hours with the lowest number of citizen's utilization will be reduced.
- A reduction in supply costs and delaying technology updates will save \$17,598. A committee has reviewed all subscriptions to ensure only most critical subscriptions are retained, saving \$18,000. Reducing travel and continuing legal education and training is expected to save \$9,000.
- In 2002, the asset recovery division helped the city collect more than \$800,000 through in-house collections, an increase of over \$200,000 from the previous year. In addition, another \$200,000 was collected in delinquent, non-tax obligations. An additional \$543,740 was generated through collections by outside contractors.
- With the success of Project SMART (Student Mediation and Assistance to Reduce Truancy) and the expansion of mediation services, Columbus Public Schools will provide funds for one half of the salary of the program coordinator and will fund the additional mediators needed to staff the expanded program. The total received from Columbus Public Schools, will be \$107,300.
- As a result of excellent training provided by the attorneys and staff of the Office as well as heightened standards of representation of the city, dollars relating to payouts in lawsuits against the city have dropped. This dollar amount was down again in 2002, with another successful year of litigation. Lawsuits filed against the Division of Police are down by 26 percent.

- Support of \$32,000 is provided for three domestic violence advocates to supplant funding for a federal grant that ends in September 2003. These individuals provide critical information to judges and prosecutors regarding criminal records of persons charged with domestic violence and about facts surrounding the incidents. Without these positions, up to date criminal background information would not be available at pre-trials and at trial, weakening the city's ability to prosecute these offenders.
- Funds for outside counsel are budgeted in the City Attorney's Office while legal settlement costs are funded in Finance's citywide account. Special counsel costs are incurred when conflicts of interest prohibit the City Attorney from representing parties in litigation or when the matter involves highly specialized matters that demand expertise outside the City Attorney's Office.



DEPARTMENT FINANCIAL SUMMARY					
DIVISION SUMMARY	2000 Actual	2001 Actual	2002 Appropriated	2002 Estimated	2003 Proposed
City Attorney	\$ 9,124,346	\$ 9,773,078	\$ 9,311,391	\$ 9,549,497	\$ 9,322,822
Real Estate	491,716	503,651	438,542	439,231	452,985
Land Acquisition	483,732	550,393	711,263	621,424	722,140
Special Litigation	597,976	763,366	529,732	525,344	296,191
<b>TOTAL</b>	<b>\$ 10,697,770</b>	<b>\$ 11,590,488</b>	<b>\$ 10,990,928</b>	<b>\$ 11,135,496</b>	<b>\$ 10,794,138</b>

DIVISION SUMMARY BY CHARACTER					
<b>CITY ATTORNEY GENERAL FUND EXPENDITURES SUMMARY</b>	<b>2000 Actual</b>	<b>2001 Actual</b>	<b>2002 Appropriated</b>	<b>2002 Estimated</b>	<b>2003 Proposed</b>
Personnel	\$ 7,090,560	\$ 7,892,924	\$ 7,962,704	\$ 7,833,062	\$ 8,155,081
Materials & Supplies	368,738	66,796	76,100	76,100	58,000
Services	1,665,437	1,818,776	572,587	1,640,335	586,556
Other Disbursements	-	-	-	-	-
Capital	(389)	(5,418)	-	-	-
Transfers	-	-	700,000	-	523,185
<b>TOTAL</b>	<b>\$ 9,124,346</b>	<b>\$ 9,773,078</b>	<b>\$ 9,311,391</b>	<b>\$ 9,549,497</b>	<b>\$ 9,322,822</b>
<b>REAL ESTATE GENERAL FUND EXPENDITURES SUMMARY</b>	<b>2000 Actual</b>	<b>2001 Actual</b>	<b>2002 Appropriated</b>	<b>2002 Estimated</b>	<b>2003 Proposed</b>
Personnel	\$ 442,319	\$ 477,332	\$ 412,875	\$ 401,277	\$ 430,993
Materials & Supplies	9,258	10,305	6,939	5,153	4,140
Services	40,139	16,014	18,728	32,801	17,852
<b>TOTAL</b>	<b>\$ 491,716</b>	<b>\$ 503,651</b>	<b>\$ 438,542</b>	<b>\$ 439,231</b>	<b>\$ 452,985</b>
<b>LAND ACQUISITION LAND ACQUISITION FUND EXPENDITURES SUMMARY</b>	<b>2000 Actual</b>	<b>2001 Actual</b>	<b>2002 Appropriated</b>	<b>2002 Estimated</b>	<b>2003 Proposed</b>
Personnel	\$ 453,038	\$ 499,804	\$ 643,226	\$ 562,774	\$ 656,902
Materials & Supplies	128	8,266	9,420	6,445	6,210
Services	30,566	42,323	58,617	52,205	59,028
<b>TOTAL</b>	<b>\$ 483,732</b>	<b>\$ 550,393</b>	<b>\$ 711,263</b>	<b>\$ 621,424</b>	<b>\$ 722,140</b>
<b>SPECIAL LITIGATION GENERAL FUND EXPENDITURES SUMMARY</b>	<b>2000 Actual</b>	<b>2001 Actual</b>	<b>2002 Appropriated</b>	<b>2002 Estimated</b>	<b>2003 Proposed</b>
Personnel	\$ 254,857	\$ 442,269	\$ 450,605	\$ 447,048	\$ 296,191
Materials & Supplies	30,945	22,728	4,000	11,001	-
Services	312,174	298,369	75,127	67,295	-
<b>TOTAL</b>	<b>\$ 597,976</b>	<b>\$ 763,366</b>	<b>\$ 529,732</b>	<b>\$ 525,344</b>	<b>\$ 296,191</b>

DEPARTMENT SUMMARY BY FUND					
<b>FUND SUMMARY</b>	<b>2000 Actual</b>	<b>2001 Actual</b>	<b>2002 Appropriated</b>	<b>2002 Estimated</b>	<b>2003 Proposed</b>
General	\$ 10,214,039	\$ 11,040,095	\$ 10,279,665	\$ 10,514,072	\$ 10,071,998
Land Acquisition	483,732	550,393	711,263	621,424	722,140
<b>TOTAL</b>	<b>\$ 10,697,770</b>	<b>\$ 11,590,488</b>	<b>\$ 10,990,928</b>	<b>\$ 11,135,496</b>	<b>\$ 10,794,138</b>

DEPARTMENT PERSONNEL SUMMARY					
<b>DIVISION</b>	<b>FT/PT*</b>	<b>2000 Actual</b>	<b>2001 Actual</b>	<b>2002 Authorized</b>	<b>2003 Authorized</b>
City Attorney	FT	108	105	112	105
	PT	44	44	46	36
Real Estate	FT	7	7	7	7
Land Acquisition	FT	6	6	7	7
Special Litigation	FT	6	6	8	-
<b>TOTAL</b>		<b>171</b>	<b>168</b>	<b>180</b>	<b>155</b>
*FT=Full-Time PT=Part-Time					

## PROGRAM SUMMARY - CITY ATTORNEY

Program/Activity	Description	2002 Budgeted			2003 Budgeted		
		FT	PT	Proposed	FT	PT	Proposed
Administration	Provides management and support through the offices of the City Attorney and her Administrative Assistant, Chief of Staff, Office Administrator, Human Resources Manager, Information Services Manager, and Community Relations Officer and is responsible for all activities that keep the office running smoothly.	9	-	\$ 1,272,518	9	-	\$ 1,752,641
Criminal Prosecution	Provides attorneys to represent the State of Ohio and the city of Columbus in the prosecution of misdemeanor traffic and criminal cases filed in the Franklin County Municipal Court. Crimes prosecuted by this unit include domestic violence, DUI, and assault cases.	23	-	1,693,451	21	-	1,768,661
Legal Assistants	Provides clerical support to the prosecutors in Franklin County Municipal Court. They are responsible for sending out subpoenas and ensuring that all case files have necessary paperwork for each prosecutor's daily docket.	16	-	739,797	15	-	752,192
Civil Prosecution	Provides support personnel to assist attorneys in the civil division by preparing legal documents, maintaining the case database, scheduling depositions and appointments as well as a multitude of other duties that maintain the organized flow of legal documents in the city's legal office.	6	-	304,648	6	-	269,445
Civil Part-time	Provides law student interns who perform legal research for the attorneys in the civil division.	-	11	110,668	-	5	59,751
Intake	Serves citizens of the community who request the filing of criminal misdemeanor complaints. The Intake staff assists, advises and makes appropriate referrals on behalf of the city.	4	23	532,945	4	20	555,411
Appellate	Responsible for the appeal of misdemeanor prosecutions to the Franklin County Court of Appeals, and defending any misdemeanor criminal appeals filed against the city. Law student interns in this unit, in addition to providing legal research, staff traffic court in Franklin County Municipal Court.	2	5	181,223	2	5	329,898
Dispute Resolution	Solves problems and conflicts outside of the judicial process through the use of trained mediators. The Night Prosecutor Mediation Program mediates cases in an attempt to resolve issues between citizens without entering the criminal courts. Project SMART (Student Mediation and Assistance to Reduce Truancy), brings students, parents, and educators together to develop a specific plan to keep children in school. The Check Resolution Program assists in the collection of money lost to merchants due to the passing of bad checks.	3	-	174,478	1	-	90,182

PROGRAM SUMMARY - CITY ATTORNEY							
Program/Activity	Description	2002 Budgeted			2003 Budgeted		
		FT	PT	Proposed	FT	PT	Proposed
Victim Witness	Prosecutes domestic violence offenders and assists victims of this crime by providing them with immediate resources in times of crisis as well as education and training to all Franklin County law enforcement officers and The Columbus Division of Police. The unit also focuses on menacing by stalking cases.	12	4	727,977	14	4	786,997
Business and Regulation	Assists in the legal review and implementation of vital city development projects, which foster the growth of our community and gives legal assistance to city officials with respect to city services, legislation, contracts, zoning, and relations with the suburban neighbors of the city. This section also assists with the city's compliance with state and federal environmental laws, and taking legal action against industrial facilities that fail to comply with water pollution laws and other environmental requirements.	7	-	637,446	6	-	695,825
Litigation	Defends the City of Columbus and its employees in contract disputes, claims for personal injury or property damage, constitutional violations, wrongful death, tax disputes, and many other claims requesting money damages. Also provides legal education, training, advice, and counsel. Includes the Special Litigation Unit which works primarily on the lawsuit filed by the United States Department of Justice against the city.	7	-	1,271,719	5	-	805,872
Labor	Responsible for handling all labor and employment-related litigation involving the City and for rendering legal advice to City officials on labor and employment matters in the areas of collective bargaining, labor contract administration, employee benefits, civil service, equal employment opportunity, workers' compensation and unemployment compensation. Defends the City in employment litigation filed in federal and state courts, and counsels various City departments on day-to-day personnel matters.	5	-	545,309	5	-	573,972
Police Legal	Advises the Division of Police on legal and policy matters impacting their work. Serves as liaison for both civil and criminal litigation involving police. Provides hours of training on a variety of legal topics associated with legal issues for law enforcement.	4	1	324,082	4	1	339,215
Environmental	Handles cases relating to housing, building, health and zoning code violations as well as nuisance abatement actions.	6	-	356,603	6	-	380,644
Claims	Handles pre-litigation claims against the City as well as the collection of funds owed to the City.	7	2	438,527	7	1	458,307
Land Acquisition	Responsible for acquisition of all real property needed by city departments. In addition, this division provides the legal assistance to the city with regard to all real estate matters, including the sale and leasing of property, estimation of property values, and matters related to real estate taxes. This division is funded through the land acquisition fund. The land acquisition fund is supported through billings to non-general fund divisions for real estate work.	9	-	711,263	7	-	722,140
Real Estate	Responsible for acquisition of all real property needed by city departments. In addition, this division provides the legal assistance to the city with regard to all real estate matters, including the sale and leasing of property, estimation of property values, and matters related to real estate taxes. This division is General Fund supported.	5	-	438,542	7	-	452,985
Special Litigation	The Special Litigation Unit was formed in 2000 to devote four attorneys to representing the City and its Police Department in a lawsuit filed by the United States Department of Justice. The lawsuit is the first of its kind to be filed by the DOJ and includes multiple complex issues of first impression. The attorneys in this unit also represent the City in general litigation matters.	6	-	529,732	-	-	-
<b>TOTAL</b>		<b>131</b>	<b>46</b>	<b>\$ 10,990,928</b>	<b>119</b>	<b>36</b>	<b>\$ 10,794,138</b>